

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**April 15, 2010**



**Rezoning RZ 10-02: Daniel and Kerri Brightwell**

**CASE DESCRIPTION:** a request to change the zoning classification from Agricultural – Open District (A-O) to Commercial District (C-3)

**LOCATION:** 0.519 acres of land adjoining the east side of Tabor Road between Siegert Drive and the southbound frontage road for North Earl Rudder Freeway (State Highway 6), currently addressed as 2319 Tabor Road

**LEGAL DESCRIPTION:** 0.519 acres of land out of Stephen F. Austin League, Abstract 63

**EXISTING LAND USE:** commercial building and gravel parking lot

**APPLICANT(S):** Daniel and Kerri Brightwell

**STAFF CONTACT:** Randy Haynes, Project Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving** C-3 zoning, as requested.





## **BACKGROUND:**

The applicants are opening a commercial bus operation business and wish to locate on the subject property. The existing Agricultural – Open District (A-O) zoning of this 0.5-acre tract does not permit bus operations.

The applicants are requesting a change from A-O to Commercial District (C-3), which, if approved, would allow the proposed use at this location

## **RELATION TO BRYAN'S COMPREHENSIVE PLAN:**

City-wide land use policies articulated in Bryan's Comprehensive Plan recommend encouraging and promoting compatible infill and redevelopment in areas where these activities will benefit the city as a whole and the area specifically. The Comprehensive Plan predicts the need for a 74% increase in commercial property within the expanded city limits of Bryan by 2020.

## **ANALYSIS:**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to general area and the City as a whole.

**The C-3 zoning classification is intended predominantly for heavy retail and commercial uses of a service nature. Staff contends that a change of the zoning designation to C-3 is**

appropriate for the subject tract and consistent with land use recommendations of Bryan's Comprehensive Plan. Staff believes that commercial uses on the subject property are appropriate in this particular environment. The surrounding land uses include the Bryan Independent School District bus facility, a compressed natural gas dealership and a county-owned meeting hall. The immediately adjacent land is already zoned C-3 and is currently undeveloped.

2. Whether there is availability of water, wastewater, storm water, and transportation facilities generally suitable and adequate for the proposed use.

The subject property has direct access to water and wastewater services and lies at the intersection of Tabor Road and the south-bound frontage road of North Earl Rudder Freeway. These two roadways are classified as minor arterial street and freeway, respectively. Staff believes that, in this particular case, these adjoining streets can be expected to be capable of accommodating traffic loads typically associated with heavy commercial uses that are permitted in C-3 zoning districts.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Property in the immediate vicinity of the subject tract is largely undeveloped. Staff contends that the change of zoning to C-3 District will not affect development of this or other undeveloped tracts.

5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

All of the undeveloped property adjacent to the subject tract is zoned C-3 District, rezoning of the subject tract will not affect this property with regard to future development.

6. Any other factors which will substantially affect the health, safety, morals, or general welfare.

Staff has identified no factors resulting from this requested zoning change that will affect health, safety, morals, or general welfare.

#### **RECOMMENDATION:**

Staff recommends **approving** C-3 zoning, as requested.